

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FRANCESCA GINO,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, SRIKANT
DATAR, JOHN DOES 1-10, AND JANE
DOES 1-10,

Defendants.

Case No. 1:23-cv-11775-MJJ

JOINT MOTION TO ENTER AMENDED SCHEDULING ORDER

Pursuant to Federal Rule of Civil Procedure 16(b)(4), Local Rule 16.1(g), and the Court’s November 20, 2024 Scheduling Order (Doc. No. 88, the “Scheduling Order”) the Parties respectfully move the Court to enter the proposed Amended Scheduling Order attached hereto as **Exhibit 1**. As set forth more fully below, the parties respectfully submit that good cause exists to amend the Scheduling Order, as (i) both parties seek leave to amend their claims in connection with the tenure revocation process that ended on or about May 20, 2025, and (ii) there remains significant fact discovery to be completed.

There have not been any previous requests for amendment of the Scheduling Order, adjournment, or extension of the deadlines set forth therein. The Parties have engaged in initial discovery, which remains in the early stages. On December 4, 2024, the Parties exchanged their Fed. R. Civ. P. 26(a) initial disclosures. On March 31, Plaintiff served her first set of interrogatories and requests for production on Harvard, to which Harvard responded on April 22, 2025. On April 18, 2025, Harvard and Defendant Srikant Datar (“Dean Datar” and, together with

Harvard, the “Harvard Defendants”) served their first set of interrogatories and requests for production on Plaintiff, to which she responded on May 28 and June 4, 2025. Also on April 18, 2025, Plaintiff served a set of requests for production on Dean Datar, to which he responded on May 19, 2025. The Parties have met and conferred twice to discuss their responses and objections to discovery. While these meetings have been productive, there remains a number of issues on which the Parties have yet to reach agreement. As of today, July 16, 2025, neither party has produced any documents. No depositions have been noticed and no experts have been designated.

Good cause exists to amend the Scheduling Order. On July 7, 2025, Harvard filed a Motion for Leave to File Second Amended Answer and Counterclaim (Doc. No. 116, the “Motion for Leave”), seeking leave to amend its Amended Answer (Doc. No. 89). As further discussed in Harvard’s memorandum in support of its Motion for Leave (Doc. No. 117), Harvard contends that it did not gain a full understanding of the basis for its counterclaim against Plaintiff until mid-November 2024, and it was unable to make public any information obtained from the tenure revocation proceeding that ended on May 20, 2025 without risking breaching the terms of internal procedures requiring Harvard to treat the proceeding as confidential while it was pending, and compromising the integrity of the proceeding itself. Plaintiff also intends to seek leave to file an amended complaint asserting claims arising out of the tenure revocation proceeding, which she similarly contends she was unable to do prior to the termination of such proceeding. Both parties have consented to the proposed amendment to the Scheduling Order set forth herein, and discovery remains at an early stage.

* * *

Accordingly, the Parties respectfully request the Court enter the Proposed Amended Scheduling Order attached hereto as **Exhibit 1**, which revises the following dates from the operative Scheduling Order:

Event	Current Scheduling Order Deadline	Proposed Deadline
Fact Discovery		
Initial disclosures	December 4, 2024	No change
Amendments to the pleadings	Except for good cause shown, no motions seeking to leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after January 31, 2025	Except for good cause shown, no motions seeking to leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after July 25, 2025
All requests for production of documents and interrogatories shall be served no later than	April 18, 2025	August 18, 2025
All requests for admission shall be served no later than	May 30, 2025	September 1, 2025
Last day for fact witness depositions	July 18, 2025	October 20, 2025
Completion of fact discovery	July 18, 2025	October 20, 2025
Expert Discovery		
Designation of experts and information contemplated by Rule 26(a)(2) by party bearing burden	July 23, 2025	October 23, 2025
Designation of rebuttal experts and information contemplated by Rule 26(a)(2)	August 15, 2025	November 17, 2025
Completion of expert depositions and discovery	September 5, 2025	December 5, 2025

Dispositive Motions		
Motions for summary judgment	October 3, 2025	January 19, 2026
Oppositions to dispositive motions	October 31, 2025	February 16, 2026
Reply memoranda	November 21, 2025	March 9, 2026

SO STIPULATED:

Dated: July 16, 2025

Respectfully submitted,

/s/ Patrick J. Hannon

Patrick J. Hannon

/s/ Douglas E. Brayley

Douglas E. Brayley

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*Attorneys for Defendants
 President and Fellows of
 Harvard College and Srikant
 Datar*

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2025, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: July 16, 2025

/s/ Douglas E. Brayley

Douglas E. Brayley